

DAO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

EASTERN

District of

NEW YORK

PHILIP G. COLLINS, on behalf of himself and all
others similarly situated,

V.

VEECO INSTRUMENTS, INC., EDWARD H.
BRAUN and JOHN F. REIN, JR.,

SUMMONS IN CIVIL ACTION

CASE NUMBER:

WEXLER, J.

TO: (Name and address of Defendant)

Veeco Instruments, Inc.
100 Sunnyside Boulevard, Suite B
Woodbury, New York 11797

Edward H. Braun (c/o Veeco Instruments)
John F. Rein, Jr. (c/o Veeco Instruments)

BOYLE, M.J.

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Catherine A. Torell, Esq.
Cohen, Milstein, Hausfeld & Toll, P.L.L.C.
150 East 52nd Street, 30th Floor
New York, New York 10022

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

ROBERT G. HEINEMANN
CLERK

MAR 09 2005

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

| | |
|--|--------------------------------------|
| Service of the Summons and complaint was made by me ⁽¹⁾ | DATE SERVED: 3/16/2005 @ 10:18 AM |
| NAME OF SERVER (PRINT) BRUCE KUSTKA | TITLE PROCESS SERVER |
| Check one box below to indicate appropriate method of service | |
| <input type="checkbox"/> Served personally upon the defendant. Place where served: 100 SUNNYSIDE BLVD, SUITE B; WOODBURY, NY 11797 (LEGAL DEPT.) DEFENDANT SERVED: VEECO INSTRUMENTS, INC. | |
| <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. PLACE OF BUSINESS Name of person with whom the summons and complaint were left: MS. MARGARET AKEILEY, MANAGING AGENT SEX: FEMALE, SKIN: WHITE, HAIR: BROWN, AGE: 38 YRS, HGT: 5'4", WGT: 140 LBS <input type="checkbox"/> Returned unexecuted: GLASSES | |
| <input type="checkbox"/> Other (specify): | |

STATEMENT OF SERVICE FEES

| | | |
|--------|----------|--------------|
| TRAVEL | SERVICES | TOTAL \$0.00 |
|--------|----------|--------------|

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on MARCH 18TH, 2005
Date


Signature of Server

BRUCE KUSTKA NO LIC REQ.

NEW YORK

Address of Server

JAY BRODSKY
Notary Public, State of New York
No. 314683271
Qualified in New York County
Commission Expires Feb. 2, 2007

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

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| DEFENDANT SERVED: EDWARD H. BRAUN | | |
| <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. PLACE OF BUSINESS | | |
| Name of person with whom the summons and complaint were left: MS. MARGARET AKEILEY, CO-WORKER | | |
| SEX: FEMALE, SKIN: WHITE, HAIR: BROWN, AGE: 38 YRS, HGT: 5'4", WGT: 140 LBS | | |
| <input type="checkbox"/> Returned unexecuted: GLASSES | | |
| ALSO BY MAILING ON 3/18/05 AT THE ABOVE ADDRESS IN A SEALED ENVELOPE MARKED PERSONAL & CONFIDENTIAL AND NOT BEARING ANY IDENTIFICATION TO A LAW SUIT. | | |
| <input type="checkbox"/> Other (specify): | | |
| STATEMENT OF SERVICE FEES | | |
| TRAVEL | SERVICES | TOTAL \$0.00 |
| DECLARATION OF SERVER | | |
| I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct. | | |
| Executed on | Date | |
| MARCH 18TH, 2005 | Signature of Server | |
| | BRUCE KUSTKA NO LIC REQ. | |
| | NEW YORK | |
| | Address of Server | |
| JAY BRODSKY Notary Public, State of New York No. 314683271 Qualified in New York County Commission Expires Feb. 2, 2011 | | |

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

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District of

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BRAUN and JOHN F. REIN, JR.,

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BOYLE, M.J.

TO: (Name and address of Defendant)

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Woodbury, New York 11797

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Catherine A. Torell, Esq.
Cohen, Milstein, Hausfeld & Toll, P.L.L.C.
150 East 52nd Street, 30th Floor
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DATE

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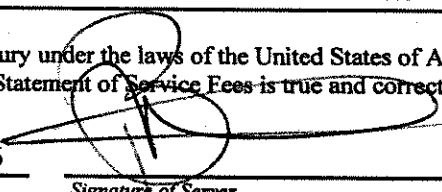
STATEMENT OF SERVICE FEES

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| TRAVEL | SERVICES | TOTAL \$0.00 |
|--------|----------|--------------|

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on MARCH 18TH, 2005
Date


Signature of Server
BRUCE KUSTKA NO LIC REQ.
NEW YORK

Address of Server

JAY BRODSKY
Notary Public, State of New York
No. 31-4688271
Qualified in New York County
Commission Expires Feb. 2, 2007

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

ABC PROCESS SERVICE INC.
Attorney:
COHEN MILSTEIN HAUSFELD & TOLL, P.L.L

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

PHILIP G. COLLINS, ON BEHALF OF HIMSELF AND:
ALL OTHERS SIMILARLY SITUATED

(PLAINTIFF)

Index No 05-1277

against

Date Filed 03/09/2005

Office No CMHT01100SUN

VEECO INSTRUMENTS, INC., ETAL;

(DEFENDANT)

STATE OF NEW YORK, COUNTY OF NEW YORK

SS:

BRUCE KUSTKA being duly sworn, deposes and says

that he is over the age of 18 years, not a party to the action, and resides in the State of New York:

That on the 16 day of March 2005 at 10:18 AM, at

100 SUNNYSIDE BLVD;SUITE B;WOODBURY, NY 11797 (LEGAL DEPT.)

he served the annexed SUMMONS IN A CIVIL ACTION, CLASS ACTION COMPLAINT FOR VIOLATIONS OF
FEDERAL SECURITIES LAWS, JURY TRIAL DEMANDED
upon VEECO INSTRUMENTS, INC.,

in this action, by delivering to and leaving with said MS. MARGARET AKEILEY, MANAGING AGENT
a true copy thereof.

Deponent describes person served as aforesaid to the best of deponents ability at the
time and circumstances of service as follows:


1. Sex FEMALE Color WHITE Hair BROWN app.age 38 YRS app.ht 5'4" app.wt 140 LBS

GLASSES

DEPONENT FURTHER SAYS, that he knew the Corporation so served as aforesaid to be
the Corporation mentioned and described in the said SUMMONS IN A CIVIL ACTION, CLASS ACTION COMPLAINT.
FOR VIOLATIONS OF FEDERAL SECURITIES LAWS, JURY TRIAL DEMANDED.

SWORN to before me this 18

day of March 2005



BRUCE KUSTKA
License No.: NOT REQ.

:sb

JAY BRODSKY
Notary Public, State of New York
No. 31-468371
Qualified in New York County
Commission Expires Feb. 2, 2007

ABC PROCESS SERVICE INC.
Attorney:
COHEN MILSTEIN HAUSFELD & TOLL, P.L.L

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

PHILIP G. COLLINS ON BEHALF OF HIMSELF AND:
ALL OTHERS SIMILARLY SITUATED
against
(PLAINTIFF)

Index No 05 1277

Date Filed 03/09/2005
Office No CMHT01100SUNB

VEECO INSTRUMENTS, INC., ETAL;
(DEFENDANT)

STATE OF NEW YORK, COUNTY OF NEW YORK SS:

BRUCE KUSTKA being duly sworn deposes and says:

I am over 18 years of age, not a party to this action and reside in the State of New York:

That on the 16 day of March 2005 at 10:18 AM, at

100 SUNNYSIDE BLVD, STE. B;WOODBURY, NY 11797 % VEECO INSTRUMENTS, INC (LEGAL DEPT.)

I SERVED the SUMMONS IN A CIVIL ACTION, CLASS ACTION COMPLAINT FOR VIOLATIONS OF FEDERAL
SECURITIES LAWS, JURY TRIAL DEMANDED UPON
EDWARD H. BRAUN

the defendant herein named by delivering to and leaving a true copy of said

SUMMONS IN A CIVIL ACTION, CLASS ACTION COMPLAINT FOR VIOLATIONS OF FEDERAL SECURITIES
LAWS, JURY TRIAL DEMANDED
with a Person of suitable age and discretion: to wit

MS. MARGARET AKEILEY, CO-WORKER

Deponent described Person served as aforesaid to the best of deponents ability at the
time and circumstances of service as follows:

1. Sex FEMALE Color WHITE Hair BROWN app.age 38 YRS app.ht 5'4" app.wt 140 LBS
GLASSES

That on the 18 day of March 2005 I deposited in the U.S. mails a true copy of the
SAID DOCUMENTS

properly enclosed and sealed in a post-paid wrapper

addressed to the said defendant at the aforementioned

(B) (place of business marked personal and confidential)

100 SUNNYSIDE BLVD, STE. B;WOODBURY, NY 11797 % VEECO INSTRUMENTS, INC (LEGAL DEPT.)

BY FIRST CLASS MAIL. AND NOT BEARING ANY IDENTIFICATION TO A LAWSUIT.

That at the time of service aforesaid, I asked Person so served or Person spoken to whether the defendant
herein was in the military service of the State of N.Y. or the United States and received a negative reply.
Upon information and belief based upon the conversation and observation as aforesaid I aver that the
defendant is not in the military service of the State of N.Y. or the United States as that term is defined
in the statutes or the State of N.Y. or the Federal Soldiers and Sailors Civil Relief Act.

SWORN to before me this 18

day of March 2005

JAY BRODSKY
Notary Public, State of New York
No. 31-4689271
Qualified in New York County
Commission Expires Feb. 2, 2007

BRUCE KUSTKA
License No.: NOT REQ.

:sb

ABC PROCESS SERVICE INC.
Attorney:
COHEN MILSTEIN HAUSFELD & TOLL, P.L.L

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

PHILIP G. COLLINS, ON BEHALF OF HIMSELF AND:
ALL OTHERS SIMILARLY SITUATED,
against
(PLAINTIFF)

Index No 05 1277

Date Filed 03/09/2005
Office No CMHT 01100SUNC

VEECO INSTRUMENTS, INC., ETAL;
(DEFENDANT)

STATE OF NEW YORK, COUNTY OF NEW YORK SS:

BRUCE KUSTKA being duly sworn deposes and says:

I am over 18 years of age, not a party to this action and reside in the State of New York:

That on the 16 day of March 2005 at 10:18 AM, at

100 SUNNYSIDE BLVD, STE. B;WOODBURY, NY 11797 % VEECO INSTRUMENTS INC. (LEGAL DEPT.)

I SERVED the SUMMONS IN A CIVIL ACTION, CLASS ACTION COMPLAINT FOR VIOLATIONS OF FEDERAL SECURITIES LAWS, JURY TRIAL DEMANDED UPON JOHN F. REIN, JR.

the defendant herein named by delivering to and leaving a true copy of said

SUMMONS IN A CIVIL ACTION, CLASS ACTION COMPLAINT FOR VIOLATIONS OF FEDERAL SECURITIES LAWS, JURY TRIAL DEMANDED with a Person of suitable age and discretion: to wit

MS. MARGARET AKEILEY, CO-WORKER

Deponent described Person served as aforesaid to the best of deponents ability at the time and circumstances of service as follows:

1. Sex FEMALE Color WHITE Hair BROWN app.age 38 YRS app.ht 5'4" app.wt 140 LBS
GLASSES

That on the 18 day of March 2005 I deposited in the U.S. mails a true copy of the SAID DOCUMENTS

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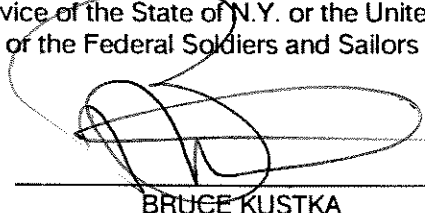
100 SUNNYSIDE BLVD, STE. B;WOODBURY, NY 11797 % VEECO INSTRUMENTS INC. (LEGAL DEPT.)

BY FIRST CLASS MAIL. AND NOT BEARING ANY IDENTIFICATION TO A LAWSUIT.

That at the time of service aforesaid, I asked Person so served or Person spoken to whether the defendant herein was in the military service of the State of N.Y. or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid I aver that the defendant is not in the military service of the State of N.Y. or the United States as that term is defined in the statutes or the State of N.Y. or the Federal Soldiers and Sailors Civil Relief Act.

SWORN to before me this 18

day of March 2005


BRUCE KUSTKA
License No.: NOT REQ.

:sb

JAY BRODSKY
Notary Public, State of New York
No. 31-4683271
Qualified in New York County
Commission Expires Feb. 2, 20